

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

KENNETH CRAIG MILLER,

Plaintiff,

v.

CITY OF EAST MOUNTAIN, BETTY
DAVIS, TERRY WAYNE DAVIS,
MILTON NEAL COULTER, UPSHUR
COUNTY, and GREGG COUNTY,

Defendants.

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No. 2:17-CV-00496-JRG-RSP

ORDER

The above entitled and numbered civil action was referred to United States Magistrate Judge Roy S. Payne pursuant to 28 U.S.C. § 636. Now before the Court is the Report and Recommendation (Dkt. No. 118) by Magistrate Judge Payne, which recommends denying Plaintiff's Motion to Strike (Dkt. No. 72). Judge Payne also recommends denying Plaintiff's Motion to Strike (Dkt. No. 50) as moot. No party has objected or otherwise responded to the Report and Recommendation.

Having considered the relevant motions and the parties' briefing, **IT IS ORDERED** that Magistrate Judge Payne's Report and Recommendation (Dkt. No. 118) is hereby **ADOPTED**. Accordingly, Plaintiff's Motion to Strike (Dkt. No. 72) is **DENIED**, and Plaintiff's Motion to Strike (Dkt. No. 50) is **DENIED** as **MOOT**.

So ORDERED and SIGNED this 14th day of September, 2018.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE